

APPLICANT'S REMARKS

The Office Action dated 1/18/05 in the presently pending application for patent indicates that claims 1-7, 15, 18-22, 25, and 28 stand rejected. Applicants respectfully request that these claims (except claim 15) be cancelled from further consideration, without prejudice.

Claim 15 depends from allowed claim 8, and adds a further limitation relative to the amount of B present. Thus, since claim 8 is allowable, so too claim 15 is allowable because it adds further limitations. The Derwent abstract 2003060697 does not include Ca, which is a recited element in Applicant's claim 8 from which claim 15 depends. Since a rejection under 35 USC § 102 requires that all elements of Applicant's claimed invention must be present in a single prior art reference, and since Ca is not mentioned in the Derwent abstract, the rejection of claim 15 under 35 USC § 102 should be reconsidered and withdrawn.

The Office Action dated 1/18/05 in the presently pending application for patent indicates that claims 23, 24, 26, and 27 were objected to as being dependent from a rejected base claim. Applicants have amended these claims herein to included the limitations from the base claims from which these claims depend. Thus, it is believed that claims 23, 24, 26, and 27 are now in condition for allowance.

Applicants note that claims 8-14, 16, and 17 stand allowable. Thus, Applicants believe that claims 8-14, 15, 16, 17, 23, 24, 26, and 27 should be in condition for allowance after all claim amendments are entered, and that all claims indicated as rejected have been cancelled in this Response.

*except claim 15
GW 4/16/05*

The 1/18/05 Office Action indicates that the brief description of figure 2 did not refer to parts (a) – (c). The specification is requested to be amended as Applicants have specified in page 3 of this Response, to remedy this defect. Further, since FIG. 2 was showing the prior art, as described in the original brief description for FIG 2 as "known configurations", we think it prudent for conforming to Office procedure to include the caption "PRIOR ART" in FIG. 2. Accordingly, please find with this response a replacement drawings sheet for FIG. 2 which includes this caption.

The 1/18/05 Office Action indicates that the specification is objected to for failing to provide proper antecedent basis for a light emitting device where the source is a lamp which emits light having a frequency between about 360 and about 480 nm. Applicant's respectfully submit that the original specification at page 10, lines 8-10 included such antecedent, and further respectfully request the Examiner to re-consider this objection. If after such a reconsideration the Examiner maintains the objection, then your undersigned Agent respectfully requests the Examiner contact him to briefly discuss an appropriate remedy.

Thus, in view of the claim amendments presented herein, Applicants believe that claims 8-14, 15, 16, 17, 23, 24, 26, and 27 should now be in condition for allowance. Applicants also believe that other grounds for objection have all been removed by this Response and further submit that this application stands in condition for issuance as a patent.

Your Agent believes that all issues raised in the 1/18/05 Office Action have been addressed herein. In the event of any inadvertent oversight, it is respectfully requested that such oversight be brought to my attention via telephone in order that same may be rapidly remedied.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher J. Whewell".

Christopher J. Whewell, Reg. 37,469
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Brief Description of the Drawings

In the annexed drawings:

FIG. 1 shows the spectrum of light emitted by a prior art YAG:Ce phosphor in combination with a blue LED..

FIG. 2 illustrates some of the known configurations employed to couple the phosphor particles to an LED.

FIG. 2(a) shows a phosphor dispersed throughout epoxy according to the prior art;

FIG. 2(b) shows a phosphor dispensed directly on an LED light-emitting area according to the prior art;

FIG. 2(c) shows a phosphor disposed on the outside surface of an epoxy according to the prior art;

FIG. 3 illustrates the spectrum of one of the novel silicate phosphor phases pumped by a blue LED.

FIG. 4 illustrates the spectrum displayed by a composition of the present invention pumped by an LED operating in the UV range.

FIG. 5 illustrates the emission spectra of several different compositions of the present invention.